

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSITY OF PITTSBURGH OF THE  
COMMONWEALTH SYSTEM OF HIGHER  
EDUCATION d/b/a UNIVERSITY OF  
PITTSBURGH, a Pennsylvania non-profit  
corporation (educational),

Plaintiff,

v.

VARIAN MEDICAL SYSTEMS, INC., a  
Delaware corporation,

Defendant.

No. C-08-2973 MMC

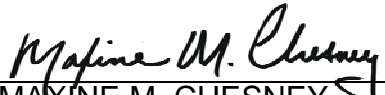
**ORDER CONTINUING HEARING ON  
DEFENDANT'S MOTION TO TRANSFER**

On June 27, 2008, defendant filed a "Motion to Transfer Action to U.S. District Court for Western District of Pennsylvania," which motion has been fully briefed and is presently set for hearing on August 29, 2008. On July 23, 2008, defendant filed a "Motion to Dismiss Plaintiff's Claims Pursuant to Fed. R. Civ. P. 12(b)(6) Based on Doctrine of Res Judicata," noticing said motion for hearing on September 5, 2008.

In the interest of judicial economy, the hearing on defendant's Motion to Transfer is hereby CONTINUED to September 5, 2008.

**IT IS SO ORDERED.**

Dated: July 25, 2008

  
MAXINE M. CHESNEY  
United States District Judge